

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

RECON ROOFING & CONSTRUCTION,
LLC,

Plaintiff,

v.

PINNACLE BANK,

Defendant/Third-Party Plaintiff,

v.

JOHN R. RISLEY and TICKET BOOTH
SALES, LLC,

Third-Party Defendants.

NOW ON THIS 25th day of May, 2022, this matter comes before the Court on Pinnacle Bank's ("Pinnacle") Motion to Amend its Default Judgment Against Third-Party Defendants (the "Motion") (Doc. 38). Having been duly advised in the premises, the Court finds as follows:

1. On December 29, 2021, the Court entered Default Judgment (Doc. 32) (the "Default Judgment") in favor of Pinnacle and against Third-Party Defendants, John R. Risley ("Risley") and Ticket Booth Sales, LLC ("TBS").

2. Pursuant to the Default Judgment, "In the event [Plaintiff] Recon obtains a judgment against Pinnacle in this matter, judgment shall forthwith be entered in favor of Pinnacle and against Risley and TBS, jointly and severally, on Pinnacle's claims for indemnification and/or contribution in an amount equal to Recon's judgment against Pinnacle . . ." (Doc. 32). The Default Judgment also allows for Pinnacle to recover its costs of this action.

3. Plaintiff, Recon Roofing & Construction, LLC ("Recon"), and Pinnacle have

settled Recon's claims against Pinnacle pursuant to the terms of the parties' May 3, 2022, confidential Settlement Agreement and Mutual Release.

4. As a result, the Default Judgment must be modified accordingly.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

A. Pinnacle's Motion (Doc. 38) is granted;

B. The Default Judgment (Doc. 32) is incorporated into this Order; and

C. Judgment shall be and hereby is entered in favor of Pinnacle Bank and against John R. Risley and Ticket Booth Sales, LLC, jointly and severally, on Pinnacle Bank's claims for indemnification and/or contribution in the amount of \$212,500.00, plus post-judgment interest on the just stated amount as provided for by law, and for Pinnacle Bank's costs of this action.

IT IS SO ORDERED.

DATED this 25th day of May, 2022.

BY THE COURT:



Senior United States District Judge